

INCORPORATED VILLAGE OF EAST HILLS BOARD OF
TRUSTEES PROPOSED LOCAL LAW NO. __ OF YEAR 2018
A LOCAL LAW TO UPDATE AND ENSURE THE FAIR AND
PROPER REGULATION OF LIGHTING

The Board of Trustees of the Incorporated Village of East Hills, by these amendments, modifications, changes and additions to Chapter 117 of the Code of the Incorporated Village of East Hills, enacts the following provisions:

Section 1.

Chapter 117 is repealed in its entirety and in its place the following provisions are enacted:

Chapter 117 Lighting

[HISTORY: Adopted by the Board of Trustees of the Village of East Hills 9-12-1983 by L.L. No. 1-1983 as Ch. 142 of the 1983 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Commercial filming — See Ch. 78.

Zoning — See Ch. 271.

§ 117-1. Restrictions on outdoor lighting.

Outdoor lights operated or maintained upon any premises in the Village shall be subject to the following regulations and restrictions:

A. Lights and lamps shall be so arranged, adjusted and operated with reflectors and refractors so that the upper outline of any beam or ray shall not project beyond the property line of the premises of the owner or occupant.

B. Lights and lamps shall be so arranged, adjusted, shaded and operated so that no beam shall project above the height of the light or lamp.

C. Lighting types and coloration. **[Amended 1-21-1997 by L.L. No. 3-1997; 7-21-1997 by L.L. No. 4-1997]**

(1) Lights and lamps in all zoning districts shall be LED, incandescent, fluorescent, halogen or sodium vapor only. No other gaseous lighting shall be permitted, including but not limited to neon. Coloration shall be permitted in the business and light industrial districts, but not in the residence districts.

(2) Use of the following shall not constitute a violation of this section where such lights or lamps are at variance with the requirements of Subsection C. (1) above:

(a) Traffic control devices approved by the New York State Department Transportation.

(b) Municipal and public utility streetlight lamps.

(c) Pest control lighting.

(d) Seasonal holiday lighting.

(e) Landscape lighting in residence districts.

D. No light shall be directed upon any surface which shall reflect the beams or rays.

E. All such exterior lights shall be equipped with shielding devices so that the glow emanating therefrom shall be directed only on and toward the property upon which they are located. **[Added 1-21-1997 by L.L. No. 3-1997]**

F. No such exterior lights shall be arranged, adjusted or operated so as to permit a flashing or strobing effect. **[Added 7-21-1997 by L.L. No. 4-1997]**

§ 117-2. Requirements for Construction Sites and Unoccupied Buildings.

A. During all times an active building permit is held, a permit holder shall:

(1) Install temporary solar powered LED lighting at the construction site, whether construction is active or inactive, to be maintained within the site for the purpose of safety and security.

(2) Install temporary solar powered LED spotlighting on each side of the building for site safety and security. Landscape lighting fixtures are not to be used to comply with this requirement.

(3) Lighting shall be installed with the intent to allow the site to be viewed for incidences of trespass, from the street and neighboring properties.

B. For unoccupied buildings, which are those buildings pending receipt of a Certificate of Occupancy under an active or expired permit, or which have received a Certificate of Occupancy but have not been occupied, the property owner shall cause to occur and maintain:

(1) Porch lights that shall remain lit with 'dusk to dawn' control, and

(2) Two interior lights, visible from the street, to be illuminated within the home after dark until at least midnight, to be controlled with timers.

C. For sites where demolition has occurred, and construction is yet to start or continue, the property owner shall install temporary solar powered LED lighting at the construction site, whether construction is active or inactive, to be maintained within the site for the purpose of safety and security.

D. Lighting for construction sites and unoccupied buildings must conform to the requirements contained elsewhere in this Chapter.

§ 117-3. Time limit for compliance by existing installations.

[Amended 1-21-1997 by L.L. No. 3-1997]

Any light or lamp now installed or operated in violation of the provisions hereof shall be altered to comply with this section within 15 days of notification.

§ 117-4. Penalties for offenses.

[Added 1-21-1997 by L.L. No. 3-1997]

A violation of this chapter shall, upon conviction, be punishable as provided in Chapter 1, General Provisions, Article III.

Section 2: Separability.

If any section, subsection, sentence, clause or phrase of this local law is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this local law.

Section 3: Effective Date.

This local law shall take effect immediately on the filing with the Secretary of State as provided by law.